

1909-049 Chancery Causes: C. R. Quinley & vs. William Clifton &
Lee Co.

Harber, Martin, Burgin, Farmer, Thompson, Poteet, Rutherford,
Griffin, Wheeler, Hall, Missionary Baptist Church

CA-Estate Dispute

T-Property
Churches

To the Honorable H. A. W. Skeen, Judge of the Circuit Court
of Lee County, Virginia:

Your complainants, John Burgin, Rebecca Farmer, Elizabeth Thompson, C. R. Quinly, R.A. Quinly, J.B. Quinly, Mary Potest, Marta Rutherford, Bill Griffin, Lizzie Quinly, Lisle Wheeler, Robert Clifton, Bud Clifton and Emily Hall, would respectfully represent and show unto your honor, that on the 16th day of July, 1862, one Austin Clifton, and wife, both of Lee County Virginia, made a deed, conveying one (1) acre of land to the trustees of the Missionary Baptist Church, known as "Friendship", for the use of the Baptist Church so long as it continued to be used by said church, for church purposes, but with the reservation that it should revert to the heirs of Austin Clifton, when the Missionary Baptist Church should cease to use, and permanently accept of the same.

For further information a copy of said deed is hereby filed, marked exhibit "A" .

Your complainants allege that the Missionary Baptist Church abandoned this said lot , and erected a new church several years ago known as "New Friendship," and that Austin Clifton, having long since died, this lot, or parcel of land, has reverted to his heirs who are your above named complainants- residents of Virginia, and also the following William Clifton, John Clifton, Jane Harber, Whit Clifton, Ben Clifton, Henry Clifton,Clifton, Austin Clifton, Riley Clifton and Alice Martin, who are non-residents, be made party defendants, and for whom we pray, that order of publication be made and published according to law against said defendants.

The prayer of your complainants is, that the said defendants be made to answer, but not upon oath that being waived.

That this land cannot be petitioned among the heirs, your complainants pray that a commissioner be appointed to sell said land and that the proceeds be distributed among the heirs, and they also pray for such other, further, and general relief as the nature of of the case may demand, and to equity seem meet.

Ely Ed Woodward,

P. Q.

To the Honorable H. A. W. Skeen Judge of the Circuit Court of
Lee County Virginia:

Humbly complaining your complainant J. H. Thomas would
respectfully represent and show your honor ; that

C. R. Trimley Esq.
John Burgeon et al
vs { Bill in Chancery
Wm Clifton et al

1909 2nd Aug. Rules
Bill filed & costs
for D.P.
1st Sept. Rules -
taken last Monday
in August.
D.P. completed &
cause set for hear-
ing.

Costs:
Chk \$5.04
Tax 1.50
att'y. 15.00
Est. 5.00
\$26.54
Printer 6.60
\$33.14

Wm Clifton Esq.

C. R. Quinley, et al.....Plaintiff.

vs

Wm. Clifton et als.....Defendants.

This cause came on this the 14th, day of Dec. 1909, to be heard upon the papers formerly read therein and the report of J. O. Woodward Commissioner appointed therein on the day of Sept. 1909, to sell the land in the bill and proceedings mentioned, which report shows that the sale of the land in the bill and proceedings mentioned was to Mrs J..B. Farley, for the sum of \$33.66, and which report of said Woodward was filed in this cause for more than ten days and is unaccepted to, and was argued by counsel.

on consideration of all of which and for reasons appearing to the court it is adjudged, ordered and decreed that said report of said Woodward Commissioner, and the sale made by him as shown in said report to the said J. B. Farley be and the same are hereby approved and confirmed. And the said J. B. Farley having paid the purchase price in full it is hereby adjudged, ordered and decreed that J. O. Woodward be appointed special Commissioner who shall execute to the said Farley a deed with Covenants of special warranty; and said deed having been made and approved by the Court it is ordered that said deed be delivered to the said Farley on payment of the usual fee of \$5.00. And the said Woodward will pay out the \$33.66 shown in this report as having been received by him on the sale of said land in this suit to those entitled thereto. And nothing further remaining to be done in this case the cause is stricken from the docket.

JONESVILLE, VA.

Attorneys-At-Law

ELY & WOODWARD

J. O. WOODWARD
U. S. Comm'r

M. G. ELY
Commonwealth's Atty

C. R. Dumble et al
vs { Decree
Hm Clifton et al,

Entered in C. R.
8, page 575 re.

Enter this decree
H. C. W. S. L. C.
this Dec. 14, 1909,

C. R. Quinley et al, _____ Plaintiffs,

vs

In Chancery

Wm. Clifton et al. _____ Defendants.

This cause came on this day to be heard on the bill of Complainants, order of publication duly made against the non-resident defendants and was argued by counsel.

On consideration of which, the defendants failing to appear, plead answer and demur, the bill as to them is taken for confessed.

And the Court being of the opinion that the land mentioned in this bill having reverted to the heirs of Austin Clifton deceased and as the land can not be partitioned among the heirs it is therefore adjudged, ordered and decreed that said lands be sold to the highest bidder and the proceeds if there be any left after paying the cost etc. of this suit be divided among those heirs that may be entitled to the same.

It is further adjudged, and ordered that J. O. Woodward who is hereby appointed a Special Commissioner for the purpose will advertise and sell at public auction to the highest bidder at the front door of the Court House, on a credit of one and two years ^{time} except costs of this suit and commissions of the sale of the lands described in said bill which he will require to be paid, cash in hand, and for the deferred payments he will take notes with good personal security, bearing interest from date.

Said sale will be made at the front door of the Court House of Lee County, after having advertised for 30 days by written notices, posted at the front door of the Court House and in the vicinity of said land.

Said Commissioner before acting on this decree, will execute bond before the clerk of the court in the sum of \$50.00 conditioned according to law, and report his action to the next term of the court, and the cause is continued.

C. R. Lundy et al.
vs { Deere.
Wm Clifton et al

Entered in C.O.B.
#8, page 497 re.

Enter this

At C. W. Stans

Sept. 9th 1909.

To the Honorable H. A. W. Skeen Judge of the Circuit Court
Of Lee County Virginia:

Your undersigned Commissioner reports that
persuant to the decree entered in the chancery cause of C. R.
Quinley and others against Wm. Clifton and others, pending in your
honor's Court, he sold the land described in the bill and proceedings
in said cause after having advertised the same as required, at which
sale Mr. J. B. Farley being the highest bidder, became the purchaser
at the price offered by him to wit: \$33.66.

The purchaser complied with the terms of sale by paying the
full amount of his bid and your commissioner recommends that said sale
be confirmed.

Said sale was made on the 3rd. day of Dec. 1909.

Respectfully submitted,

J. O. Woodward.
Special Commissioner.

~~1~~
We pause

C. R. Lively et al
vs { Report-
of Sale.
Hm Clifton et al

Filed Dec. 4, 1909.-
H. A. C. Cawing
Clerk

In the Clerk's Office of the Circuit Court of the county of Lee, on the 3rd

day of August, 1909

C. R. Quinly et al

against

Plaintiff s,

In Chancery

William Clifton et al.

Defendant s

The object of this suit is to sell the land in bill
mentioned and to divide the proceeds
among those entitled thereto.

And an affidavit having been made and filed that the defendants Wm Clifton, John Clifton, Jane
Forbes, Wm Clifton, Ben Clifton, Henry Clifton, Clifton
Austin Clifton, Riley Clifton, Alice Martin are
not resident^s of the State of Virginia, it is ordered that they do appear here within 15 days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And it is
further ordered that a copy hereof be published once a week for four weeks in the Jonesville Star
Lee Co Va. and that a copy be posted at the front door of the Courthouse of this county as prescribed

by law

A copy—Teste:

Ely & Woodward p. q.

H. C. J. Ewing Clerk.
By J. A. S. Hyatt D.C.

C. R. Quinby et al.

vs.

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ORDER OF
PUBLICATION

William Clifton et al.

Virginia Lee County, to wit,
J. H. E. Hyatt Clerk
of the Circuit Court
for the County of Lee,
in the State of Virginia
do hereby certify that
I posted a true
copy of the within
order of publication
at the front door
of the Court house
of said County
on this day of
Given under my
hand, this the 14
day of August 1909
J. H. E. Hyatt D.C.

In the Clerk's Office of the Circuit Court of the County of Lee
State of Virginia.

C. R. Quirkly et al.

Plaintiff s,

against

William Clifton et al.

Defendant s,

This day M. S. Clay

personally appeared

before me J. R. D. Hyatt, Deputy

Clerk of the said Court,

and being duly sworn, made oath that John Clifton, John Clifton, Jane Barber,
Whit Clifton, Christine Clifton, Riley
Clifton, Alice Martin

defendant s in the said suit are not resident s of the State of Virginia,

Given under my hand as Clerk of the said Court, this 4th day of August, 1909.

J. C. J. Eubank

Wm J. A. Hyatt

C.R. Lundy et al.

VS

{ AFFIDAVIT FOR ORDER
OF
PUBLICATION

William Clifton et al.

Ely & Woodward p. q.

Filed Aug. 4, 1909.
H.C. Ewing, Clk.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Wm Clifton, John Clifton, Jane Har-
less Whit Clifton, Ben Clifton, Henry Clifton, — Clifton,
Austin Clifton, Riley Clifton, and Alice Martin,

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *3rd* Monday in *August*, 190*9*, to answer a bill in chancery exhibited against *them*

in our said Court by C. K. Quinby, John Burgan, Beck
Farmer, Elizabeth Thompson, R. A. Quinby, J. B. Quinby, Mary
Potter, Martha Rutherford, Belle Griffin, Lizzie Quinby, Lisle
Wheeler, Bob Clifton, Bud Clifton and Emily Hall —

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *4th*

day of *Aug.*, 190*9*, and 1*34* year of the Commonwealth.

A Copy, Teste.

H. C. T. Ewing, Clerk

_____, Clerk

C. R. Quinley, et al.,

VS

}

SUBPOENA
IN
CHANCERY

Wm Clifton, et al.,

Ely & Woodward, p. q.

To 2nd August Rules

Lee Circuit Court

1909

Order of Publication.

in the Clerk's Office of the Circuit
Court of the county of Lee, on
the 3rd day of August, 1909.

C. R. QUINLEY et al, Plaintiffs,
against

WILLIAM CLIFTON et al, Defendants
in chancery.

The object of this suit is to sell the
land in the bill mentioned and to di-
vide the proceeds among those enti-
tled thereto. And an affidavit having
been made and filed that the defend-
ants, Wm. Clifton, John Clifton, Jane
Harber, Whit Clifton, Ben Clifton,
Henry Clifton, ——— Clifton, Austin
Clifton, Riley Clifton, Alice Martin,
are not residents of the State of Vir-
ginia, it is ordered that they do ap-
pear here within 15 days after due
publication hereof, and do what may
be necessary to protect their interest
in this suit. And it is further order-
ed that a copy hereof be published
once a week for four weeks in the
Jonesville Star Lee Co. Va. and that
a copy be posted at the front door of
the Courthouse of this county as pre-
scribed by law.

A copy—Teste:

H. C. T. EWING, Clerk.

By J. A. G. HYATT, D. C.

ELY & WOODWARD, p. q.

C. R. Quinley et al

VS

In Chy.
Wm Clifton et al



I, *Geo P Cridline*, editor

of The Jonesville Star, a weekly newspaper
published in the county of Lee, state of Virginia,
do hereby certify that the enclosed notice was
published in said paper once a week for four
successive weeks, commencing on the *5th*
day of *August* 190*9*.

Geo P Cridline, Editor.

FEE \$ *6.60*

C. R. Quirby
vs. J. O. P. T.
Wm Clifton et al

Feb #660